

Appl. 10/601,828
Reply to Office Action of October 31, 2006
Response Dated December 11, 2006

REMARKS

The Office Action Made Final mailed August 10, 2006 and the Advisory Action mailed October 31, 2006 have been received and reviewed. Claims 1, 17-19 and 33-53 are currently pending in the application. Claims 1, 17-19, 36, 40 and 43-50 stand rejected. Applicant notes that the Advisory Action indicates that no claims are withdrawn from consideration, this is incorrect. As indicated in the Office Action made Final claims 33-35, 37-39, 41, 42 and 51-53 are withdrawn from consideration. Applicant respectfully requests reconsideration of the application in view of the present amendments and remarks.

35 U.S.C. § 112, First Paragraph Rejections

Claims 1, 17-19, 26, 40 and 43-50 were rejected in the Office Action Made Final under 35 U.S.C. § 112, First Paragraph, as allegedly failing to comply with the written description requirement. This rejection was maintained in the Advisory Action, which alleges that "sufficient support is not provided in the original disclosure to support the recitation of 'permanently attaching' as set forth in the claims ." (Advisory Action at § 11). Accordingly, claims 1, 40, and 47 have been amended to remove the objected to language, which now recited "fixedly attaching". Accordingly it is requested this rejection be withdrawn.

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Applicant notes that as discussed in the prior response, paragraph [0034] of the as-filed specification sets forth that the "housing 62 is held to the base plate 52 with a layer 68 of adhesive." Further, paragraph [0042] of the as-filed specification sets forth that "a housing is formed 214 as by molding and attached 216 to the base plate."

Webster's Encyclopedic Unabridged Dictionary of the English Language, Random House Value Publishing, Copyright 1996, defines an adhesive as "4. a substance that causes something to adhere, as glue or rubber cement." (at page 24). This same dictionary defines "attached" at page 133 as:

1. joined; connected; bound. 2. having a wall in common with another building (opposed to *detached*): *an attached house*. 3. Zool. permanently fixed to the substratum; sessile. (emphasis added).

Accordingly, applicant respectfully submits the as-filed specification supports the language "fixedly attaching" in the claims as it describes the housing being attached to the base plate by a layer of adhesive, using words meaning "joined, connected, bound" and "fixed".

Applicant further notes that support for additional elements added to the claims by amendment may be found in paragraph [0047] of the as-filed specification. As amended, claims 1 and 47 now recite "a layer of adhesive interposed between said back surface of said at least one metal base portion and said covering, said layer of adhesive structured for fixedly attaching said back surface of said at least one metal base portion to said covering such that said covering translates pressing force applied thereon to be

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more uniformly applied at the at least one cutting edge along an edge of said at least one blade" and claim 40 recites "a layer of adhesive interposed between said back surface of said at least one metal base portion and said housing, said layer of adhesive structured for fixedly attaching said back surface of said at least one metal base portion to said housing such that said housing translates pressing force applied thereon to be more uniformly applied at the exposed cutting edge."

At pages 3-4, the Office Action mailed February 23, 2006 rejected earlier versions of claims 1, 18, 19, 45 and 47 over Sarka et al. in view of Beroz et al., asserting that

if it is argued that there is no explicit disclosure that the assembly will become affixed to the fixture, it would have been obvious to one of ordinary skill in the art to use adhesive (e.g. two-sided adhesive tape or a mass of adhesive material) to affix the assembly, particularly plate 2, in the fixture to facilitate assembly of the die disclosed in Sarka. One having ordinary skill in the art would be very familiar with the use of such adhesive in the assembly arts and know that it is often applied to assist in the assembly of components; for example, such adhesive would be applied between the bottom plate 2 and the bottom 21 of the molding fixture to maintain the respective positions of the die components and the molding fixture during assembly, whereby after assembly, the die would be removed from the molding fixture and the adhesive removed. Beroz discloses one example of the use of such an adhesive to temporarily hold components in place during assembly (e.g., see Figs. 9, 10 and col. 7, lines 23-27, col. 15, lines 26-33). Therefore, it would have been obvious to one having ordinary skill in the art to attach the covering to the metal base portion in Sarka for at least the benefit described above. (emphasis added).

At column 3, lines 49-55, Sarka describes the preparation of the plates 1 and 2, prior to their assembly in the molding fixture, adjacent to bottom 21. Sarka states that:

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After etching of the metal plates has been effected, the remaining resist layer is removed (FIG. 7) and after chemically etching the plates, both the top face of the upper plate and the bottom face of the lower plate are coated with a mold release film 14 (FIG. 8). Any conventional mold release film may be used.

Accordingly, Sarka teaches placing a mold release on the bottom surface of the plate 2 before placement in the molding fixture, in order to facilitate removal therefrom. Sarka thus teaches away from the temporary use of an adhesive in the mold fixture, as suggested in the earlier Office Action. Applicant thus submits the present claims are allowable.

Further, applicant notes the modification of the Sarka device suggested in the earlier Office Action applies only to an incomplete device, specifically noting that "after assembly, the die would be removed from the molding fixture and the adhesive removed". Since the combination suggested in the earlier Office Action would lack such a structure in a final assembly, it lacks elements found in amended claims 1, 40 and 47 ("said layer of adhesive structured for fixedly attaching said back surface of said at least one metal base portion to said covering such that said covering translates pressing force applied thereon to be more uniformly applied at the at least one cutting edge along an edge of said at least one blade" or "said layer of adhesive structured for fixedly attaching said back surface of said at least one metal base portion to said housing such that said housing translates pressing force applied thereon to be more uniformly applied at the

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exposed cutting edge"). Accordingly, the amended claims are further allowable over the combination suggested in the Office Action.

CONCLUSION

The Examiner is welcome to call the attorney of record, Frank W. Compagni, at (801) 478-0071 if further discussion of this matter is warranted. Any fees due hereunder may be charged to Deposit Account No. 50-0881.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Frank W. Compagni', is written over a horizontal line.

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